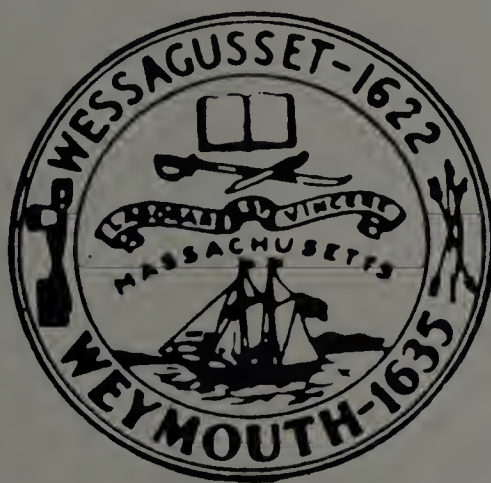


Warrant and Recommendations of the  
Appropriation Committee for the

# SPECIAL TOWN MEETING

TOWN OF  
**WEYMOUTH**  
COMMONWEALTH OF MASSACHUSETTS



GEORGE L. BARNES AUDITORIUM  
EAST JUNIOR HIGH SCHOOL  
89 MIDDLE STREET • EAST WEYMOUTH

MONDAY, FEBRUARY 25, 1985  
7:30 P.M.

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352  
WEY  
19850225

W. C  
35-2



## WEYMOUTH APPROPRIATION COMMITTEE

William J. Kelley, *Chairman*  
Lawrence J. Sullivan, *Vice Chairman*  
John F. Cunningham, *Secretary*  
John V. Donovan, Jr., *Assistant Secretary*  
Vera Chirillo  
Joseph Cooney  
Joseph A. Curro  
William J. DeTellis  
Leo J. Donovan  
Earl F. Hannafin  
John F. King  
William N. Neil  
Janet Pickering  
James O. Stevens  
Allan J. Masison, *Ex Officio*

# Special Town Meeting



## COMMONWEALTH OF MASSACHUSETTS

**Norfolk, ss.**

To the Town Meeting Members of the Town of Weymouth, in said County, Greeting:

In the name of the Commonwealth of Massachusetts, you are hereby notified to meet in the George L. Barnes Auditorium of the East Junior High School, 89 Middle Street, East Weymouth, on

**Monday, the Twenty-Fifth Day of February, 1985**

at seven o'clock and thirty minutes in the evening, then and there to act upon the following articles (a copy of which is enclosed); and in case all the articles in the warrant shall not have been acted upon at the meeting called for the twenty-fifth of February, 1985 to meet in adjourned session in the aforesaid George L. Barnes Auditorium of the East Junior High School at seven o'clock and thirty minutes in the evening of each successive evening thereafter, unless other times may be then and there voted.

Given under my hand at Weymouth, the twenty-first day of January in the year of our Lord nineteen hundred and eight-five.

*Town Clerk of Weymouth*

# **WARRANT FOR THE SPECIAL TOWN MEETING**

**MONDAY, THE TWENTY FIFTH OF FEBRUARY 1985  
COMMONWEALTH OF MASSACHUSETTS  
TOWN OF WEYMOUTH**

**NORFOLK, ss:**

To any of the Constable of the Town of Weymouth in said County

**GREETINGS:**

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of Weymouth aforesaid qualified to vote in Town affairs to meet in the George L. Barnes Auditorium of the East Weymouth Junior High School, 89 Middle Street, East Weymouth on

**MONDAY, THE TWENTY FIFTH DAY OF FEBRUARY, 1985**

at seven o'clock and thirty minutes in the evening, then and there to act upon the following articles, namely:

**ARTICLE I: (By Request of the Board of Selectmen) To see whether the Town will vote to approve Collective Bargaining Agreements with various groups of Town Employees and further to see what sum of money the Town will vote to raise by taxation, transfer from available funds and/or borrow and appropriate for the purpose of funding such contracts and to make any changes required by such contracts in the Personnel Pay and Salary Classification plan; or to take any other action in relation thereto.**

***A. Superior Officer's Contract:***

**RECOMMENDED: No Action.**

***B. Traffic Supervisor's Contract:***

**RECOMMENDED: No Action.**

***Refer to Appendix C and D***

**ARTICLE 2: (By Request of the Board of Selectmen) To see if the Town will vote to amend the Code of the Town of Weymouth, Chapter 32 PERSONNEL POLICIES, by accepting changes in the administration and classification pay plan and further, to see what sum of money the Town will vote to raise by taxation, transfer from available funds, and/or borrow, and appropriate for the purpose of implementing any such changes in said PERSONNEL POLICIES; or take any other action in relation thereto.**

**RECOMMENDED: No Action.**



ARTICLE 3: (By Request of the Town Accountant) To see if the Town will vote to appropriate \$12,000, or any other sum, from available funds to complete the funding of non-union positions as established under Article 2 of the December 10, 1984 Special Town Meeting, such funds to be allocated to the respective departments by the Town Accountant; or take any other action in relation thereto.

**RECOMMENDED: Favorable Action and The Sum of \$25,000.00 of which \$17,6700.00 be Transferred from Reserve Salary Account 900-5101 and \$7,400.00 from Free Cash.**

ARTICLE 4: (By Request of the Town Accountant) To see if the Town will vote to Transfer \$100,000.00, or any other sum, to the damages & judgments account (069-5760) for the purpose of paying a final judgment; or take any other action in relation thereto.

**RECOMMENDED: Favorable Action and The Sum of \$100,000.00 from the Fund Balance Reserved for Unforeseen and Extraordinary Expenses.**

ARTICLE 5: (By Direction of the Board of Selectmen) To see whether or not the Town will vote to petition the Legislature for the authority to convey back to the former owner a certain parcel of land which was incorrectly included in a deed dated July 23, 1979 whereby the former owner, Margaret A. Palmer, sold a certain tract of land to the Town for conservation purposes, said lot of land to be reconveyed is shown as LOT 7 on a Plan drawn by Alfred J. Hogan, Civil Engineer, date May 25, 1956 and filed as Plan No. 21913C in the Land Registration Office of the Land Court; and further, that if authorized said reconveyance shall be for nominal consideration of one dollar, and shall be made by the Town to the said Margaret A. Palmer, if she is living, otherwise, said reconveyance to be made to her children, Donald R. Palmer of Weymouth, Alice R. Tebeau of Norwell, David D. Palmer of W. Wellington Connecticut and William J. Palmer of Mt. Pleasant, Michigan, all as tenants in common; or to take any other action in relation thereto.

**RECOMMENDED: Favorable Action**  
*Refer to Appendix A and B.*

ARTICLE 6: (By Request of the Conservation Commission) To see if the Town will vote to add Chapter 119 to the Code of the Town of Weymouth as follows; or take any other action in relation thereto.

### *WEYMOUTH WETLANDS BYLAW*

The purpose of this bylaw is to protect the wetlands and foreshores of the Town of Weymouth by controlling activities deemed to have a significant effect upon wetland values, including but not limited to the following: public or private water supply, groundwater, flood control, erosion control, storm damage prevention, water pollution, fisheries, shellfish, wildlife, recreation and esthetics (collectively, the “interests protected by this bylaw”).

No person shall remove, fill, dredge, alter or build upon or within one hundred feet of any bank, fresh water wetland, coastal wetland, beach, dune, flat, marsh, meadow, bog, swamp, or upon or within one hundred feet of lands bordering on the ocean or upon or within one hundred feet of any estuary, creek, river, stream, pond or lake, or upon or within one hundred feet of any land under said waters or upon or within one hundred feet of any land subject to tidal action, coastal storm flowage, flooding or inundation, or within one hundred feet of the 100-year storm line, other than in the course of maintaining, repairing or replacing but not substantially changing or enlarging, an existing and lawfully located structure used in the service of the public and used to provide gas, water, telephone, telegraph and other telecommunications services, without filing written application for a permit so to remove, fill, dredge, alter or build upon, including such plans as may be necessary to describe such proposed activity and its effect on the environment, and receiving and complying with a permit issued pursuant to this bylaw.

The provisions of this section shall not apply to work performed for normal maintenance or improvement of land in agricultural use.

Such application may be identical in form to a Notice of Intent filed pursuant to Massachusetts General Laws Ch. 131, s.40, and shall be sent by certified mail or hand-delivered to the Weymouth Conservation Commission. The Commission shall set a filing fee by regulation, but no filing fee is required when the Town of Weymouth files an application for a permit. Copies of the application shall be sent at the same time, by certified mail, to the Board of Selectmen, the Board of Health, and the Planning Board. Upon written request of any person, the Commission shall, within twenty-one days, make a written determination as to whether this bylaw is applicable to any land or work thereon. When the person requesting a determination is other than the owner, notice of the determination shall be sent to the owner as well as to the requesting person.



## *SECTION 2: HEARING*

The Commission shall hold a public hearing on the application within twenty-one days of its receipt. Notice of the time and place of the hearing shall be given by the Commission at the expense of the applicant, not less than five days prior to the hearing, by publication in a newspaper of general circulation in the Town of Weymouth and by mailing a notice to the applicant, the Board of Health, the Board of Selectmen, the Planning Board and to such other persons as the Commission may by regulation determine. The Commission, its agents, officers, and employees may enter upon privately owned land for the purpose of performing their duties under this bylaw.

### *SECTION 2.1: PERMIT AND CONDITIONS*

If, after the public hearing, the Commission determines that the area which is the subject of the application is significant to the interests protected by this bylaw, the Commission shall, within twenty-one days of such hearing, issue or deny a permit for the work requested. If it issues a permit after making such determination, the Commission shall impose such conditions as it determines are necessary or desirable for the protection of such interests, and all work shall be done in accordance with those conditions. If the Commission determines that the area which is the subject of the application is not significant to the interests protected by this bylaw, or that the proposed activity does not require conditions, it shall issue a permit without conditions within twenty-one days of the public hearing. Permits shall expire one year from the date of issuance, unless renewed prior to expiration, and all work shall be completed prior to expiration.

### *SECTION 2.2: RELATIONSHIP TO M.G.L. Ch.131, s.40*

The Commission shall not impose additional or more stringent conditions to M.G.L. Ch.131, s.40 than it imposes pursuant to this bylaw, nor shall it require a Notice of Intent pursuant to s.40 to provide materials or data in addition to those required pursuant to this bylaw.

## *SECTION 3: EMERGENCY PROJECTS*

This bylaw shall not apply to any emergency project as defined in M.G.L. Ch.131, s.40.

## *SECTION 4: PRE-ACQUISITION VIOLATION*

Any person who purchases, inherits or otherwise acquires real estate upon which work has been done in violation of the provisions of this bylaw or in violation of any permit issued pursuant to this bylaw shall forthwith comply with any such order to restore said land to its condition prior to any such violation; provided, however, that no action, civil or criminal, shall be brought against such person unless commenced within three years following the date of acquisition of the real estate by such person.

## *SECTION 5: REGULATIONS*

After due notice and public hearing, the Commission may promulgate rules and regulations, subject to approval by the Board of Selectmen, to effectuate the purposes of this bylaw. Failure by the Commission to promulgate such rules and regulations or a legal declaration of their invalidity by a court of law shall not act to suspend or invalidate the effect of this bylaw.

## *SECTION 6: BURDEN OF PROOF*

The applicant shall have the burden of proving by a preponderance of the credible evidence that the proposed work in the application will not harm the interests protected by this bylaw. Failure to provide adequate evidence to the Commission supporting a determination that the proposed work will not harm the interests protected by this bylaw shall be sufficient cause for the Commission to deny a permit or grant a permit with conditions, or, in the Commission's discretion, to continue the hearing to another date to enable the applicant or others to present additional evidence.

## *SECTION 7: DEFINITIONS*

The following definitions shall apply in the interpretation and implementation of this bylaw:

### *SECTION 7.1*

The term "person" shall include any individual, group of individuals, association, partnership, corporation, company, business association, trust, estate, the Commonwealth or political subdivision thereof to the extent subject to town bylaws, the Town of Weymouth, and any other legal entity, its legal representatives, agents or assigns.

### *SECTION 7.2*

The term "alter" shall include, without limitation, the following action when undertaken in areas subject to this bylaw:

- (a) Removal, excavation or dredging of soil, sand, gravel or aggregate materials of any kind;
- (b) Changing drainage characteristics, flushing characteristics, salinity distribution, sedimentation patterns, flow patterns and flood retention characteristics;
- (c) Drainage or other disturbance of water level or water table;
- (d) Dumping, discharging or filling with any material which may degrade water quality;
- (e) Driving of piles, erection of buildings or structures of any kind;
- (f) Placing of obstructions whether or not they interfere with the flow of water;



- (g) Destruction of plant life, including cutting of trees;
- (h) Changing of water temperature, biochemical oxygen demand or other physical or chemical characteristics of the water.

### *SECTION 7.3*

The term “banks” shall mean that part of land adjoining any body of water which confines the water.

### *SECTION 7.4: AGRICULTURAL PRACTICES*

- (a) The term “land in agricultural use” shall mean any qualifying wetland within a farm which is qualified or eligible to be qualified under the Farmland Assessment Act, M.G.L. Ch. 61A, ss.1-5.
- (b) The term “qualifying wetland” shall mean only inland freshwater areas which are seasonally flooded basins or flats or inland fresh meadows.
- (c) The term “normal maintenance or improvement” of land in agricultural use shall mean only:
  - 1. Tilling practices customarily employed in the raising of crops.
  - 2. Pasturing of animals, including such fences and protective structures as may be required.
  - 3. Use of fertilizers, pesticides, herbicides and similar materials subject to state and federal regulations covering their use.
  - 4. Constructing, grading, or restoring of field ditches, sub-surface drains, grass waterways, culverts, access roads, and similar practices to improve drainage, prevent erosion, provide more effective use of rainfall, improve equipment operation and efficiency, in order to improve conditions for the growing of crops.
- (d) “Improvement” of land in agricultural use may also include more extensive practices such as the building of ponds, dams, structures for water control, water and sediment basins, and related activities, but only where a plan for such activity approved by the Conservation District of the Soil Conservation Service is furnished to the Conservation Commission prior to the commencement of work.

All such activity shall subsequently be carried out in accord with said plan. In the event that the work is not carried out in accord with the required plan, the Conservation Commission may place a stop order on said work and have recourse to such measures as if the plan were an Order of Conditions.

### SECTION 7.5

The Commission may adopt additional definitions not inconsistent with SECTION 7 in its regulations promulgated pursuant to SECTION 5 of this bylaw.

### SECTION 8: SECURITY

The Commission may require, as a permit condition, that the performance and observance of other conditions be secured by one or both of the following methods:

- (a) By a bond or deposit of money or negotiable securities in an amount determined by the Commission to be sufficient and payable to the Town of Weymouth;
- (b) By a conservation restriction, easement or other covenant running with the land, executed and properly recorded (or registered, in the case of registered land.)

### SECTION 9: ENFORCEMENT

Any person who violates any provision of this bylaw or any condition of a permit issued pursuant to it shall be punished by a fine of not more than \$300. Each day or portion thereof during which a violation continues shall constitute a separate offense; if more than one, each condition violated shall constitute a separate offense. This bylaw may be enforced pursuant to M.G.L. Ch.40, s.21D, by a Town Police Officer or other officer having police powers.

Upon request of the Commission, the Board of Selectmen and Town Counsel shall take such legal action as may be necessary to enforce this bylaw and permits issued pursuant to it.

### **RECOMMENDED: Refer to a Future Town Meeting.**

*The proponents of this Article need more time to refine the proposed By-Law.*

ARTICLE 7: (By the Request of the Planning Board) To see if the Town will vote to amend the Town of Weymouth Zoning Bylaws (Chapter 120 of the Code of the Town of Weymouth), with respect to regulating and/or otherwise controlling so called "Pork Chop Lots" by adopting the following amendments; or take any other action in relation thereto:

*First:*

**Article XV. Section 120-51**

by deleting the existing section and substituting a new section to read as follows:

120-51. Exception to minimum lot area requirement.

If a lot contains more than fifteen thousand (15,000) square feet and if, after division into lots containing fifteen thousand (15,000) square feet each, having a lot width of not less than one hundred twenty (120) feet, there remains a lot of ten thousand (10,000) square feet or more, one (1) dwelling may be erected on such remaining lot, provided that the same lot a lot width of not less than one hundred (100) feet and further that all lots meet the lot width requirements of Section 120-60 B and C.

*Second:*

**Article XV. Section 120-60**

by deleting the existing section and substituting a new section to read as follows:

“120-60 lot width

- A. In areas where there is rear land for development that may require access through the lots involved, then the lot width shall be two hundred (200) feet.
- B. The minimum lot width measured at any point across the front yard from the front line to a depth of forty (40) feet, shall not be less than sixty (60) percent of the lot width required at the building line.
- C. The minimum lot width required at the building line shall extend back as far as the minimum rear yard setback line.”

*Third:*

**TABLE 1 SCHEDULE OF DISTRICT REGULATIONS**

by making the following amendments:

- A. Add “120-60 B and C” in the “Minimum Lot Width” column, “R-1” row to read as follows:

“120  
(See Sections 120-51, 120-52, 120-53 and 120-60 B and C)”
- B. Add “120-60 B and C” in the “Minimum Lot Width” column, “R-3” row to read as follows:



*“120  
(See Sections 120-52, 120-56 and 120-60 B - C)”*

- C. Add “120-60 B and C” in the “Minimum Lot Width” column, “R-4” row to read as follows:

*“120  
(See Sections 120-56, 120-60 B and C)”*

- D. Add “120-60A” in the “Minimum Lot Width” column, “1-1” to read as follows:

*“100  
(See Sections 120-56 and 120-60A)”*

- E. Add “120-60A” in the “Minimum Lot Width” column, “PIP” row to read as follows:

*“150  
(See Sections 120-56 and 120-60A)”*

**RECOMMENDED:** That the Town Moderator appoint a committee consisting of: The Planning Board, a Member of the Zoning Board of Appeals, The Director of the Department of Public Works and the Town Building Inspector. Further, this committee shall investigate the impact of this By-Law change and its ramifications on the Town as a whole, and present a report to a future Town Meeting with recommendations to be acted upon.

ARTICLE 8: (By Request of the Planning Board). To see if the Town will vote to amend the Code of the Town of Weymouth, Massachusetts with respect to adding anew Chapter 112 Underground Fuel Storage Bylaw; or take any other action in relation thereto:

Attached is a copy of proposed Chapter 112 UNDERGROUND FUEL STORAGE BYLAW.

**RECOMMENDED:** Refer to a Future Town Meeting.

CODE OF THE TOWN OF WEYMOUTH  
CHAPTER 112  
UNDERGROUND FUEL STORAGE BYLAW

*Section 112-1: Authority*

This bylaw is adopted by the Town of Weymouth under its home rule powers, its police powers to protect the public health and welfare, and its authorization under Massachusetts General Laws Chapter 40, Section 21.

## *Section 112-2: Purpose*

The purpose of this bylaw is to control the installation and maintenance of underground gasoline or fuel storage tanks over one thousand (1,000) gallons, and to protect groundwater and surface water from contamination due to leakage. The provisions of this bylaw are applicable only to underground tanks.

## *Section 112-3: Definitions*

- 3.1           Underground tank shall mean any fuel storage containment system for naphthas (gasolines, kerosenes and mixtures of gasolines and oils which have a density of less than eighty-six hundredth (0.86) grams per cubic centimeter) with a capacity in excess of one thousand (1,000) gallons, the top of which is located below the ground.
- 3.2           Fire Chief shall mean the chief of the Town of Weymouth fire department.
- 3.3           Noncorrosive soil is soil that, when tested by a qualified professional, is shown to have a resistivity greater than ten thousand (10,000) ohm-cm, and that does not exhibit corrosive characteristics in a soil-chemistry analysis.
- 3.4           One hundred year floodplain shall include all Special Flood Hazard Areas designated as Zone A, A2, A3, A8 and V3 as shown on maps titled "National Flood Insurance Program, FIRM, Flood Insurance Rate Map," Nos. 250257-0001 through 0009, Town of Weymouth, effective date September 30, 1980, and the Floodway Fringe as shown on the National Flood Insurance Program, Floodway, Flood Boundary and Floodway Map, Nos. 250257 0001 through 0009, Town of Weymouth, effective date September 30, 1980, on file with the Town Clerk, Building Inspector, Planning Board and Engineering Division of the Weymouth Department of Public Works.

## *Section 112-4: Registration of Existing Tanks*

### 4.1           Tank Registration

Every operator of an underground tank must file with the Town Clerk the size, type, age, contents, and location of their underground tanks within ninety (90) days of the enactment of this bylaw.

### 4.2           Notification of Fire Department

The Town Clerk must forthwith give the fire chief a copy of the information filed for each tank that is registered according to Section 4.1.

#### 4.3 Revocation of Unexercised Licenses

The Board of Selectmen may revoke unexercised licenses based under the provisions of M.G.L. Chapter 148, Section 13. Licenses issued by the Board of Selectmen may be revoked if they are unexercised within six (6) months of the enactment of this bylaw for existing licenses and six (6) months from the issuance of a new license by the Selectmen.

#### 4.4 Removal of Hazardous Conditions upon Abandonment of Underground Tanks

The Board of Selectmen may order the eliminating of hazardous conditions associated with the cessation of use and abandonment of underground tanks if the license holder has failed to do so within six (6) months of the cessation of activities. Reimbursement for such expenses shall be based on MGL Chapter 148, Section 13.

### *Section 112-5: Standards Applicable to the Installation of New Tanks*

#### 5.1 Tank Design

- (a) Unless proven otherwise by soil tests performed by qualified professionals, the soils in Massachusetts shall be assumed to be corrosive. Metallic tanks (except stainless steel) without cathodic protection or an underground secondary-containment system will be prohibited. Also prohibited is schedule forty (40) steel pipe, galvanized or black iron, or approved nonmetallic (except fiberglass-reinforced plastic) pipe. If a qualified professional demonstrated that the soil in which the tank is to be placed are non-corrosive as described in Section 112-3.3 of definitions, a steel tank with interior coating and other approved piping may be installed.
- (b) In corrosive soils, underground tanks must be constructed of: non-corrodable materials, such as fiberglass-reinforced plastic (FRP) or its equivalent; steel with external bonded non-corrodable material (i.e., FRP); a steel system cathodically protected by an impressed current cathodic system, sacrificial anodes, or equivalent protection; or, a double walled tank. These requirements are in accordance with the Massachusetts Board of Fire Prevention regulations.
- (c) In corrosive soils, piping shall be constructed of non-corrodable materials such FRP or its equivalent, a steel system with cathodic protection, or some other type of equivalent protection, in ac-



cordance with the Massachusetts Board of Fire Protection regulations.

- (d) Cathodic protection system shall be maintained and checked in accordance with the Massachusetts Board of Fire Prevention Regulations.
- (e) Commercial tanks must be equipped with striker plates below openings used for product measurement or filling.

## 5.2. Tank Installation

- (a) The fire chief or his designee must inspect and approve underground tanks prior to their burial, in accordance with the Massachusetts Board of Fire Protection regulations.
- (b) Tanks must be installed in accordance with the manufacturer's installation techniques. Damage to the protective coatings or to the FRP tank or surface must be repaired prior to covering the tank.
- (c) New underground tanks shall be tested for tightness, hydrostatically, or with air pressure at not less than three (3) pounds per square inch and not more than five (5) pounds per square inch after installation, but before being covered or placed in use in accordance with the Massachusetts Board of Fire Prevention regulations.
- (d) Piping should be tested in accordance with the Massachusetts Board of Fire Prevention regulations before being covered, enclosed, or placed in use.
- (e) Backfill material, used to cover all new tank installations and repairs, must be of the type and quality specified by the tank manufacturer's installation procedures, and by the pertinent regulations governing storage tank installation.
- (f) Underground tanks that are to be located in areas subject to flooding or below the maximum water table elevation must be anchored according to manufacturer's instructions and to the satisfaction of the Fire Chief or his designee.

- 5.3 (a) Underground tanks may not be installed within the 100 year floodplain. Underground tank installation is also prohibited within one hundred (100) feet of Whitman's Pond, Mill River and Swamp River; and within four hundred (400) feet of Great Pond and all Town water supply wells.

- (b) Underground tanks that are to be installed within the watershed of a drinking water reservoir, or within the cone of depression of a public well (or lacking a defined cone of depression, within one thousand (1,000) feet of public water supply well), must submit, for review by the fire chief, the Board of Public Works or their agent, a plan outlining the procedures or devices, such as product sensors and/or area monitoring devices, to be used to prevent water supply contamination. The plan must be endorsed by representatives of the three departments noted above prior to tank installation.

### ***Section 112-6: Leak Detection for Existing and New Tanks***

#### **6.1 Inventory Verification**

- (a) All underground tanks, *except fuel-oil tanks and connected with burning equipment*, must be monitored for the prevention and detection of leakage of flammable and combustible liquids in accordance with the provisions of the Massachusetts Board of Fire Prevention regulations.
- (b) The Daily-inventory records must be shown to the fire chief, or his designee, prior to issuance of a permit or license renewal.
- (c) The owner and operator must participate in a program of regularly scheduled inventory verification, at least once every two (2) years, in accordance with the Massachusetts Board of Fire Prevention regulations. The operator of tanks ten (10) years of age or older shall submit to the fire chief annually a report certifying that the inventory verification has been performed, stating the calculated gain/loss over the verification periods.
- (d) The fire chief shall require the operator of an underground tank storage system to test the system for tightness, at the operator's expense, when accurate daily inventory records have not been maintained as specified in Section 112-6.1.
- (e) If daily inventory records indicate a loss of product in excess of five tenths (0.5) percent of the volume of product used or sold, or an abnormal increase in the amount of water contained in the tank, steps must be taken immediately in accordance with the Massachusetts Board of Fire Prevention regulations, to detect and stop the leak. The Discrepancy must be reported to the fire chief.

#### **6.2 Tank Testing**

- (a) Unless the tank operator demonstrates to the fire chief and the Board of Health that their tanks are constructed of a material that will not corrode, has product sensors, or has been repaired or tested within the last year, underground tanks shall be re-

quired, at the expense of the owner, to undergo one of the following tests at five (5) year intervals from the date of installation, up to the twentieth (20) year, and annually thereafter: A Kent-Moore (Health Petro-tite) test; or a Sun-Mark leak-locator test; or the equivalent as determined by the fire chief. The fire chief shall be given at least forty-eight (48) hours' notice of time, date, and place of testing. Test result must be submitted to the local fire chief.

- (b) The waiver from Section 112-6.2(a) may not be granted for a tank that is located within any of the areas specified in Section 112-5.3(b).
- (c) If flammable fluids or their vapors have been detected in neighboring structures, sewers or wells on or off the property locations, the fire chief may require that any nearby tank, including underground residential tanks less than one thousand (1,000) gallons, be tested at the expense of each tank's owner.

### *Section 112-7: Procedure in Case of Spill or Leak*

#### 7.1 Leak Reporting

Any person who is aware of a spill or abnormal loss of flammable fluids must report such spill or loss immediately to the fire chief. The fire chief must be responsible for other notification, including the Board of Health.

#### 7.2 Equipment Replacement/Removal

- (a) After a leak is confirmed, underground tanks (or piping) must be emptied immediately, and removed or repaired forthwith, under the direction of the fire chief.
- (b) A leaking tank that is twenty (20) years old or older that does not comply with the design standard in Section 112-5.1(b) must be removed and may not be repaired. A permit for its removal must be obtained in accordance with M.G.L. Ch. 48, Sec. 38A.
- (c) A leaking tank that is less than twenty (20) years old must be repaired or removed. If the tank operator can show to the satisfaction of the fire chief that (in the case of steel tanks) the leak was from internal corrosion, and that the tank can be repaired so as not to pose a continuing threat to the soils and waters of the Commonwealth, considering at a minimum the corrosivity of the soil; tank age and external condition; techniques to be used for the repair; and the location of the tank, then the tank may be repaired. Operators of the leaking FRP tanks must demonstrate to the fire chief that the tank can be repaired according to manufacturer's instructions. Operators who do not meet these requirements must remove the tank.



- (d) If it is necessary to replace an underground steel tank that has developed a corrosion-induced leak, all other steel tanks at the facility of the same age or older, whether they are leaking or not, shall be repaired or replaced with tanks that meet the requirements of Section 5.1 of this bylaw.

### *Section 112-8: Administration*

- 8.1 The provision of this bylaw shall be administered by the fire chief.
- 8.2 Variances from the specific requirements of this bylaw may be authorized by the chief licensing authority after notice and a public hearing.
- 8.3 Licenses issued in accordance with M.G.L. Ch. 148, Sec. 13 for underground tanks must be renewed annually in April in the Town Clerk's Office. Tank owners must submit to the fire chief and the licensing authority a statement certifying satisfactory leak-detection result over the period of the license (in accordance with Section 112-6.2 of this bylaw), and inventory verification, at least thirty (30) days before the issuance of a permit renewal for the time periods specified herein.

Test results must accompany the license renewal application.
- 8.4. Fees necessary for the issuance and renewal of permits of licenses shall be set by the Board of Selectmen.
- 8.5 The fire chief or his designee may, at all reasonable time and upon reasonable notice to the occupant of the premises, enter any premises, public or private, for the purpose of investigating, sampling, or inspecting any record, condition, equipment, practice, or property relating to activities subject to this bylaw, and may at any time and upon reasonable notice to the occupant of the premises enter such premises for the purpose of protecting the public health or safety, or to prevent damage to the environment.

You are directed to serve this Warrant by posting a copy thereof, attested by you in writing in each of two public places in each voting precinct of said Town, fourteen (14) days at least before the date of holding the first meeting called for in this Warrant.

Hereof fail not to make due return of this Warrant with your doings thereon to the Town Clerk of said Town on or before the eleventh day of February in the year of our Lord, One thousand nine hundred and eighty-five.

Given under our hands and seals this eighteenth day of December, One thousand nine hundred and eighty-four.

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Peg Goudy, Chairman

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Richard E. Ramponi, Clerk

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Richard R. Walsh

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James V. Oteri

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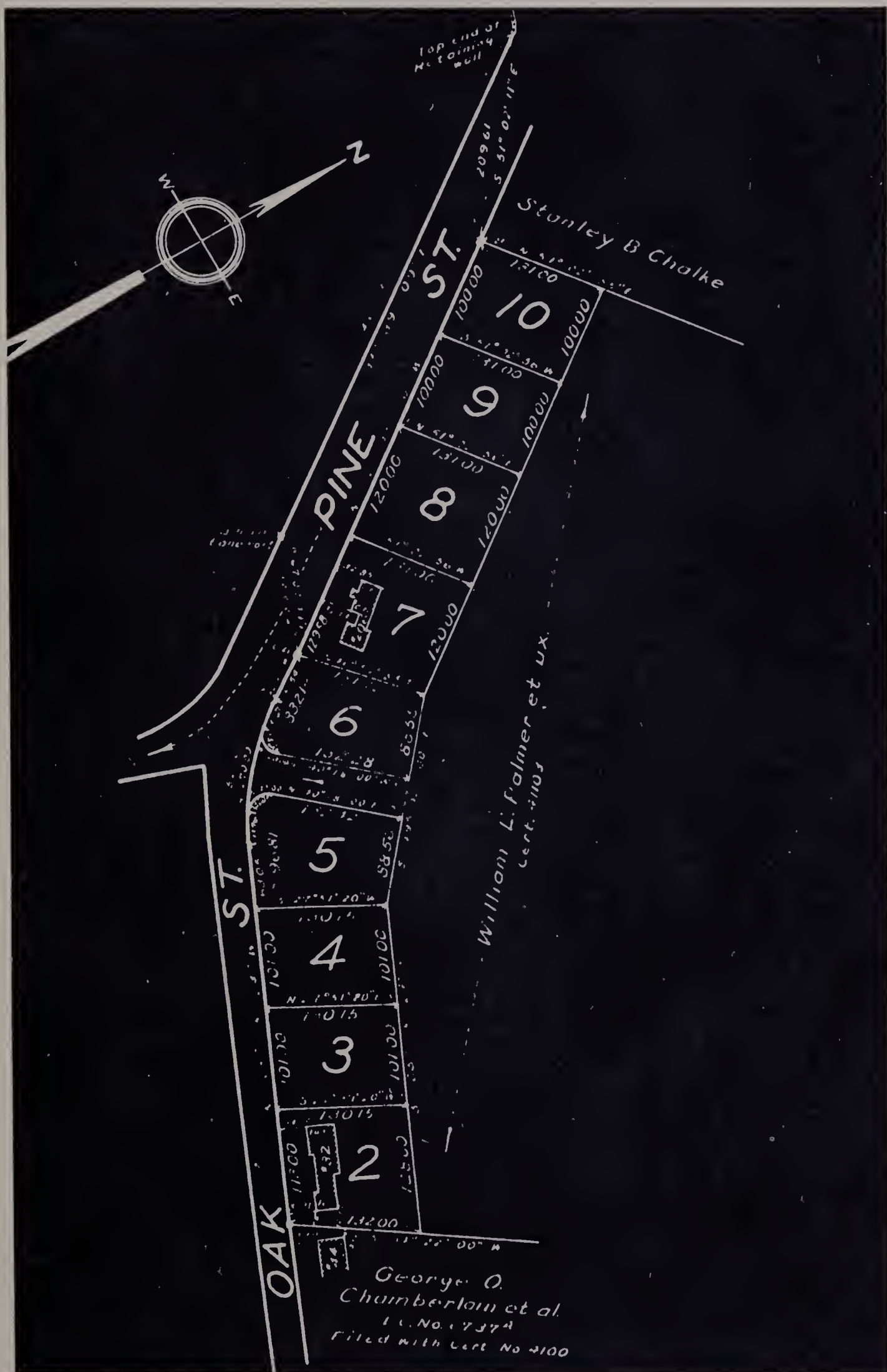
Francis E. Murphy

# APPENDIX A ARTICLE 5





# ARTICLE 5 APPENDIX B



# ARTICLE 1 APPENDIX C

# Weymouth Superior Officers Proposed 8% Police Weekly Salary Schedule

Sargeant P-3	W	470.78
	A	24,480.53
Lieutenant P-4	W	546.10
	A	28,397.41
Captain P-5	W	633.48
	A	32,941.00

Night Shift Differential	\$24.14 per week
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## Longevity

Superior Officers	15 Years	\$470.78
	20 Years	\$941.56

Clothing Allowance	\$425.00
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**ARTICLE 1**  
**APPENDIX D**

**Weymouth Police Department**  
**Traffic Supervisors**  
**Work Schedule**

Work Day	2 hrs.
Work Week	10 hrs.
Work Year	10 months

**Salary Schedule**

Per Hr.	\$ 8.75
Per Day	17.50
Per Month	323.75
Per Year	3,237.50

**Benefits**

- 1 sick day per month
- 3 days bereavement leave
- 1 personal day
- Blue/Cross insurance



# NOTES

Warrant and Recommendations of the  
Appropriation Committee for the

# **SPECIAL TOWN MEETING**

TOWN OF  
**WEYMOUTH**  
COMMONWEALTH OF MASSACHUSETTS



GEORGE L. BARNES AUDITORIUM  
EAST JUNIOR HIGH SCHOOL  
89 MIDDLE STREET • EAST WEYMOUTH

**MONDAY, FEBRUARY 25, 1985  
7:45 P.M.**

# Special Town Meeting



## COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

To the Town Meeting Members of the Town of Weymouth, in said County, Greeting:

In the name of the Commonwealth of Massachusetts, you are hereby notified to meet in the George L. Barnes Auditorium of the East Junior High School, 89 Middle Street, East Weymouth, on

**Monday, the Twenty-Fifth Day of February, 1985**

at seven o'clock and forty-five minutes in the evening, then and there to act upon the following articles (a copy of which is enclosed); and in case all the articles in the warrant shall not have been acted upon at the meeting called for the twenty-fifth of February, 1985 to meet in adjourned session in the aforesaid George L. Barnes Auditorium of the East Junior High School at seven o'clock and thirty minutes in the evening of each successive evening thereafter, unless other times may be then and there voted.

Given under my hand at Weymouth, the twenty-first day of January in the year of our Lord nineteen hundred and eight-five.

*Town Clerk of Weymouth*



# **WARRANT FOR THE SPECIAL TOWN MEETING WITHIN A SPECIAL TOWN MEETING**

**MONDAY, THE TWENTY FIFTH DAY OF FEBRUARY 1985  
COMMONWEALTH OF MASSACHUSETTS**

**NORFOLK, ss:**

**To any of the Constables of the Town of Weymouth in said County**

**GREETINGS:**

**In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of Weymouth aforesaid qualified to vote in Town affairs to meet in the George L. Barnes Auditorium of the East Weymouth Junior High School, 89 Middle Street, East Weymouth on**

**MONDAY, THE TWENTY FIFTH DAY OF FEBRUARY, 1985**

**at seven o'clock and forty-five minutes in the evening, then and there to act upon the following article, namely:**

**ARTICLE I: (By Request of the Board of Public Works) To see what sum of money the Town will vote to raise by taxation, transfer from available funds and/or borrow and appropriate, to be added to funds authorized under Line Item 300-5700 for the collection and disposal of solid waste; or take any other action in relation thereto.**

**RECOMMENDED: Favorable Action and the Sum of \$401,850.00 from Free Cash.**

*Refer to Exhibit A.*

You are directed to serve this Warrant by posting a copy thereof, attested by you in writing in each of two public places in each voting precinct of said Town, fourteen (14) days at least before the date of holding the first meeting called for in this Warrant.

Hereof fail not to make due return of this Warrant with your doings thereon to the Town Clerk of said Town on or before the eleventh day of February in the year of our Lord, One thousand nine hundred and eighty-five.

Given under our hands and seals this seventh day of January, One thousand nine hundred and eighty-five.

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Peg Goudy, Chairman

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Richard E. Ramponi, Vice Chairman & Clerk

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Richard R. Walsh

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James V. Oteri

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Francis E. Murphy

**EXHIBIT A**  
**ARTICLE 1**

Re-bids for collection and disposal of solid waste resulted in a reduction of \$60,000 from the rejected proposals received the first time. Reddish Disposal Service, our present contractor, was low bidder, with the following proposals:

**Collection & Disposal**

6-Month Period — January 1 to June 30, 1985	\$ 800,000
Next 12-Month Period — July 1 to June 30, 1986	1,690,000
2nd 12-Month Period — July 1 to June 30, 1987	<u>1,700,000</u>
Total Collection & Disposal Bid — 2½ Years	\$4,140,000

**Transfer Station Haul & Disposal**

6-Month Period — January 1 to June 30, 1985	— \$40/Ton
Next 12-Month Period	— \$40/Ton
2nd 12-Month Period	— \$44/Ton

The present contract is for an annual cost of \$857,500 for collection and disposal and \$23/ton Transfer Station haul and disposal. Funds needed for the remainder of Fiscal Year 1984 — January 1 to June 30, 1985, are as follows:

Collection & Disposal	\$800,000 - \$857,500/2	=	\$371,250
Haul & Disposal	1,800 Ton x (\$40 - \$23)	=	<u>30,600</u>
Total Additional Funds Needed			\$401,850

Monies in the present budget will carry through the first 3 months. Therefore, payments to the contractor, beginning with the payment due for the month of April 1985, will require the additional funding of \$401,850.

With the skyrocketing cost of refuse disposal, we have to make the Power Recovery System, Inc. proposal work, and it will require everyone's help to have it acceptable by the Town. In the meantime, it will cost the Town 5 *million dollars* to get rid of refuse over the next 2½ year period. The contract is for a 2½ year period. However, the contract reserve the right by the Town to terminate the contract with thirty (30) day's notice should the incinerator proposal go "on line" prior to June 30, 1987.

Very truly yours,



Frank S. Lagrotteria  
Director of Public Works



# NOTES



